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Order Filed on June 5, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

RITE AID CORPORATION, et. als.

Debtors.

Chapter 11

Case No. 23-18993 MBK

May 29, 2024

HEARING DATE: ~~June 6, 2024~~ at 10am

ORDER MODIFYING THE AUTOMATIC STAY

The relief set forth on the following pages 2 through 3 is hereby **ORDERED**.

DATED: June 5, 2024


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtors: Rite Aid Corporation, et. als.

Case No. 23-18993-MBK

Caption of Order: Order Modifying the Automatic Stay

THIS MATTER having been brought before the Court on the Motion of the Creditor, James Lister, by and through his attorneys, Norgaard, O'Boyle & Hannon seeking relief from the automatic stay to continue State Court Action pursuant to Bankruptcy Code Section 362(d), and this Court having considered the Motion, any objections, and the arguments of counsel on the record at the hearing; and for cause shown, it is hereby;

ORDERED that:

1. The automatic stay shall be deemed modified such that Movants may proceed with the State Court Case against all non-Debtor defendants.

2. The automatic stay shall otherwise remain in place for all other purposes as to the State Court Case. For the avoidance of doubt, no parties to the State Court Case shall seek discovery from the Debtors without first seeking modification of the automatic stay.

3. Nothing in this Order or the relief sought herein shall constitute or be deemed:

(a) an allowance of any claim; (b) a release of any claim of Movant against the Debtors, including but not limited to Rite Aid, and Movants may pursue any and all claims including but not limited to filing a proof of claim in the captioned proceedings; (c) an admission as to the amount of, basis for, or validity of any claim against a Debtor entity under the Bankruptcy Code or other applicable nonbankruptcy law; (d) a waiver of the Debtors', the Official Committee of Tort Claimants', or the Official Committee of Unsecured Creditors' right to dispute any claim on any grounds; (e) a promise or requirement to pay any claim; or (f) a waiver or limitation of the Debtors', or any other party in interest's, rights under the Bankruptcy Code or any other applicable law.

It is further **ORDERED** that the 14-day period in which this Order is stayed pursuant to Rule 4001(a)(3) is hereby waived, and this Order shall be immediately enforceable upon its entry.

Debtors: Rite Aid Corporation, et. als.

Case No. 23-18993-MBK

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It is further **ORDERED**, the movant shall serve a copy of this Order on all affected parties, any trustee and any other party who entered an appearance on the motion.